

Applicants : Jason M. O'Krangley and David M. Kruithoff
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REMARKS

Applicants acknowledge the Examiner's review of the specification, claims, and drawings and indication of allowable subject matter. In light of the above amendments and following remarks, Applicants respectfully request reconsideration of the present application. Amendments and remarks presented herein are fully supported by the application as originally filed. No new matter has been entered.

Drawings:

The Examiner states that new corrected drawings in compliance with 37 C.F.R. 1.121(d) are required because the drawings submitted are informal.

Applicants submit under separate cover formal drawings in response to the Office Action to avoid abandonment of this application. A copy of the Transmittal of Formal Drawings is attached with this Response for the Examiner's review.

Status of the Claims:

Claims 2-9, 11-16, 18, and 20-27 are pending in the application. Claims 1, 10, 17, and 19 have been cancelled herein. The Examiner indicated Claims 11-16 and 20-26 would be allowable if rewritten to overcome the objections under 35 U.S.C. § 112, second paragraph, and to include all the limitations of any base claim and any intervening claims. Accordingly, Applicants have amended Claims 11, 13, and 20 to overcome the 35 U.S.C § 112 rejections and, further, to be in independent form and, therefore, are allowable.

Claim Rejections:

The Examiner rejects Claims 1 and 17 as being unclear. Specifically, the Examiner states that the phrases "each of said first pair of legs comprising a forward leg" and

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"each of said second pair of legs comprising a rearward leg" is unclear. Accordingly, Applicants have amended Claims 11, 13, and 20, which now incorporate Claims 1 and 17 to clarify the claim language.

Claim Rejections Under 35 U.S.C. § 112:

The Examiner rejects Claims 14-16 and 24-26 as being indefinite. Specifically, the Examiner objects to Claim 14 which recites the limitation "said adjustment actuator" in line 1, alleging insufficient antecedent basis. Further, the Examiner rejects to Claim 24 as reciting "said adjustment actuators" in line 2, for which the Examiner also alleges insufficient antecedent basis. Applicants respectfully note that there is sufficient antecedent basis—"height adjustment actuators" were called for in line 1 of Claim 13 and in line 2 of Claim 24. Hence, "said adjustment actuators" are supported. Notwithstanding, Applicants have amended Claims 14 and 24 to call for "height adjustment actuators", which is now believed to overcome the rejection by the Examiner.

In light of the above amendments, Applicants respectfully request reconsideration of the 35 U.S.C. § 112 rejections.

Claim Rejections Under 35 U.S.C. § 102 and § 103:

The Examiner rejects Claims 17 and 27 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,509,159 to Du-Bois.

The Examiner rejects Claims 1-10 and 18-19 under 35 U.S.C. § 103(a) as being unpatentable over Du-Bois in view of U.S. Patent No. 5,537,700 to Way et al.

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Applicants respectfully traverse. However, in order to expedite allowance of the present application, Applicants have cancelled Claims 1, 10, 17, and 19 without prejudice to pursue these or similar claims in a continuation application.

In light of the above amendments and comments, Applicants respectfully request reconsideration of the present application and a Notice of Allowance of all claims, namely Claims 2-9, 11-16, 18, and 20-27.


Respectfully submitted,

JASON M. O'KRANGLEY and
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By: Van Dyke, Gardner, Linn & Burkhardt, LLP

Date

March 28, 2005


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : James A. Shriver
Group : 3618
Applicants : Jason M. O'Krangley and David M. Kruithoff
Serial No. : 10/652,671
Filed : August 29, 2003
For : TRANSPORTABLE MEDICAL APPARATUS

Attention: Official Draftsman
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Dear Sir:

TRANSMITTAL OF FORMAL DRAWINGS

In response to the Office Action mailed December 27, 2004, Applicants request that the enclosed nineteen (19) sheets of formal drawings be entered in the above-identified application.

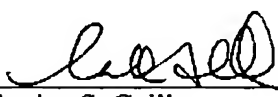
REMARKS

In response to the Office Action mailed December 27, 2004, enclosed please find nineteen (19) sheets of formal drawings for filing in the present application. The enclosed drawings correspond to the informal drawings now on file. Applicants request that these nineteen (19) sheets of formal drawings be filed in the present application.

Respectfully submitted,

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DAVID M. KRUTHOFF

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